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EASTERN DISTRICT OF NEW YORK		ENOUNLYN OFFICE		
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MICROSOFT CORPORATION,			•	
	Plaintiff,		:	ORDER
-against-	i iamimi,		:	06-CV-1429 (SLT)(RLM)
			:	
COMPUTER CARE CENTER, INC. et al.,			:	
	Defendants.		:	
			: v	
			^	

TOWNES, United States District Judge:

Plaintiff Microsoft ("Microsoft") brings suit to recover damages arising from infringement of Microsoft's copyrights and trademarks in its software programs by defendants Computer Care Center, Inc. ("Computer Care") and Mamun Ahmed. Microsoft alleges that defendants distributed counterfeit and infringing Microsoft software and violated the Lanham Act by falsely designating the origin of software, and engaging in unfair competition. This is the second action filed by Microsoft against defendants arising from defendants' distribution of infringing Microsoft software. In the first action, *Microsoft Corp. v. Computer Care Center, Inc, and Mamun Ahmed*, 01-CV-5453, by Order dated July 1, 2002, the Honorable Sterling Johnson, Jr., entered a stipulated permanent injunction prohibiting defendants from further infringing Microsoft's copyrights and trademarks. Despite this prior suit and injunction, Microsoft alleges new violative behavior.

Microsoft now moves for sanctions, default judgment, a permanent injunction, and monetary relief against defendants. By Order dated January 17, 2008, this Court referred

Microsoft's motion to the Honorable Roanne L. Mann for a Report and Recommendation. The

Court is in receipt of the Report and Recommendation dated April 8, 2008.

Magistrate Judge Mann recommends that default judgments be entered against

defendants, jointly and severally, awarding plaintiff statutory damages in the amount of

\$240,000, attorneys' fees in the amount of \$22,243, and \$350 in costs. Magistrate Judge Mann

also recommends that plaintiff's request for injunctive relief be denied, as it would be duplicative

of the July 1, 2002 stipulated injunction.

No objections have been filed. Accordingly, the Court has reviewed the Report and

Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R.

Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007

U.S. Dist. LEXIS 50074, at *6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. O5 Civ.

1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at *1 (S.D.N.Y. March 5, 2007). Having reviewed

the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety,

as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: Brooklyn, New York

September 9, 2008

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ANDRA L. TOWNES

United States District Judge

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